

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF GEORGIA

STATESBORO DIVISION

FILED
U.S. DISTRICT COURT
SOUTHERN DIV.

2009 MAY 27 PM 3:27

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SO. DIST. OF GA.

UNITED STATES OF AMERICA)
)
 v.)
)
 TERRY LAMONT GRIFFIN)

INDICTMENT NO. CR603-00014-001

ORDER

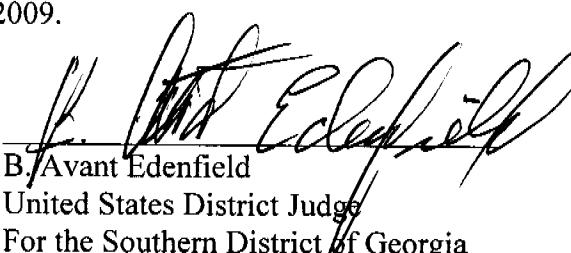
On February 9, 2009, the Government filed a Fed. R. Crim. Pro. 35(b) Motion for Sentence Reduction as to Defendant. The Court notes that Defendant entered a plea of guilty to attempt to possess with intent to distribute approximately 4 kilograms of cocaine on September 16, 2003. Defendant was sentenced on November 18, 2003, to 132 months custody. This sentence represented a downward departure, pursuant to a U.S.S.G. § 5K1.1, from the adopted guideline range of 188 to 235 months.

In its present motion, the Government describes the assistance offered by Defendant since his conviction, and the Government characterizes that assistance as "significant." The Court recognizes that Defendant has offered substantial assistance beyond that which was taken into account at his sentencing hearing; however, the Court considers that its original downward departure from the guidelines in this case was particularly generous. Defendant's instant offense involved his association with significant quantities of cocaine hydrochloride, cocaine base and marihuana. Defendant has a prior felony conviction involving illegal drugs and felony obstruction, and he likewise demonstrated obstructive conduct during the instant offense by leading authorities on a very dangerous vehicle chase.

Given the above facts, the Court concludes that a very modest sentence reduction is appropriate.

The Court hereby **GRANTS** the Government's motion and reduces Defendant's sentence by six months, to a total custodial sentence of **126 months**. All other provisions of the original sentence remain the same.

SO ORDERED, this 27th day of May, 2009.


B. Avant Edenfield
United States District Judge
For the Southern District of Georgia